

Executive Committee Meeting Minutes – Monday, January 5, 2004

Chairman Dwyer called the meeting to order at 8:37 a.m. and led the Committee in the Pledge of Allegiance.

Present: Chairman James Dwyer, County Board Supervisors Patricia Haukohl, Kenneth Herro, Walter Kolb, Richard Manke, Duane Paulson and Duane Stamsta.

Also Present: Deputy Inspector Steve Marks, Community Development Coordinator Glen Lewinski, Director of Public Works Richard Bolte, Legislative Policy Advisor Dave Krahn, Legislative Policy Advisor Mark Mader, Communications Manager Richard Tuma, Office Services Coordinator Windy Jicha, Chief of Staff Allison Bussler, Senior Financial Analyst Clara Daniels, Milwaukee Journal Sentinel Reporter Scott Williams, Internal Audit Manager Lori Schubert, Senior Financial Analyst Mike Baniel.

Correspondence

Chairman Dwyer reviewed and distributed the list of correspondence. He said Supervisors should let Jicha know if they want copies of the listed items.

Approval of Meetings

MOTION: Haukohl moved, Manke second, to approve attendance of the Executive Committee at the WCA Legislative Exchange on February 10-11, 2004. **Motion carried:** 7-0.

MOTION: Paulson moved, Stamsta second, to approve attendance of the Executive Committee at the SEWRPC Clean Rivers, Clean Lake – Water Quality Initiative on February 10, 2004. **Motion carried:** 7-0.

MOTION: Stamsta moved, Haukohl second, to approve attendance of the Executive Committee at the Seven County Meeting on January 21, 2004 in Waukesha. **Motion carried:** 7-0.

Approval of Minutes

MOTION: Herro moved, Stamsta second, to approve the joint Public Works, Finance and Executive Committees meeting minutes of December 8, 2003. **Motion carried:** 7-0.

MOTION: Stamsta moved, Paulson second, to approve the Executive Committee minutes of December 8, 2003. **Motion carried:** 7-0.

WCA Report

At the December 12, 2003 meeting, they reviewed the WCA budget. The staff did a good job putting the budget together and presenting it. WCA Services is finally showing a profit. They are working at paying back prior charges for staff services. Due to a recent audit, there's now a limit of who can serve on the WCA Services Board of Directors. With the upcoming elections, there should be many changes in the county boards around the state and thusly the WCA Board of Directors.

Discuss and Consider Ordinance 158-O-122: Amend Waukesha County Code of Ordinances to Allow County Enforcement of State Offenses

MOTION: Manke moved, Haukohl carried, to approve Ordinance 158-O-122: Amend Waukesha County Code of Ordinances to Allow County Enforcement of State Offenses.

Marks said this ordinance adds a theft violation to the Waukesha County Code. Because the District Attorney's office is short staffed, they asked to have a theft violation added to the county code. Currently when a theft occurs, a Sheriff's Deputy refers it to the Detective's Bureau. The Detective's Bureau staff then refers it to the District Attorney's office. Staff from the District Attorney's office will determine if there is enough evidence for the person to be charged with the state charge of theft. This change to the code is another tool we can use at the county level instead of sending it directly to the state level. Fines will go to the

county instead of the usual 50% to the state. This will free up the courts because citations will be issued for thefts instead of scheduling court time. The county charge appears as a lower level crime on a person's record than a state charge of theft. The theft charge would be on the criminal's record but not listed on the state system.

Kolb said he is concerned that when doing background checks on CCAP, he will not see theft crimes listed. Marks said the charges would still be public record but not listed on the CCAP system. The change in the code will allow Sheriff's Deputies to use their discretion in determining if a crime should be charged at the county or state level. The burden of proof with a county citation is less than a state citation. Marks said when a county ordinance is written, restitution can be demanded from the criminal.

Manke asked who gets the revenue from this change? Stamsta said the Clerk of Courts receives the revenues. The revenue will be documented and won't be significant.

Marks said the only addition to the county ordinance is theft. The rest of the crimes listed in the ordinance are already found in the ordinance. The code is the same except the following was added to 943.20: "theft, not less than two hundred dollars (\$200) nor more than five hundred (\$500)."

ON THE MOTION: Motion carried: 7-0.

Discuss the Audit of Community Development Block Grant (CDBG) and HOME Investment Partnership Programs by the Department of Housing and Urban Development Inspector General
Dwyer said Principal Internal Auditor DeAntonis researched other CDBG program audits in the state and found the results looked very similar to the audit completed on Waukesha County's CDBG.

Lewinski said page nine of the audit reads, "HUD's Office of Inspector General did not uncover any monetary discrepancies or misuse of funds." He also read the following from page 11 of the audit, "The actions planned by the County, if fully implemented, should ensure compliance with Federal requirements."

Lewinski said page iii outlines the complainant's specific allegations. The allegations were: (1) abuse of HUD's HOME Investment Partnership Program in the State of Wisconsin; (2) poorly kept records with the intent to cover up discrepancies in funds given to individuals; and (3) HUD funds went to prominent elected officials or their spouses to acquire properties. Lewinski said what the auditors found wrong with the program was above and beyond the original allegations.

Dwyer said most of the problems with the lack of reporting were regarding WCEDC. These problems had a lot to do with the frequent staff changes in that organization. There were no written policies or procedures on how to handle the reporting. This was especially troublesome with the high level of turnover in the organization. This deficiency was corrected before the audit was completed. It was a big problem. Dwyer said Bill Mitchell of WCEDC said they did find things they should have been doing but were not. There were no monetary problems or misuse of funds found.

Haukohl said page seven of the audit says that two loan agreements violated federal requirements. What is that about? Lewinski said he did not notify the WCEDC of what needed to be done when a loan was made. It was the county's responsibility to monitor WCEDC to ensure the loan agreements were in compliance with all federal requirements. They have rewritten a few agreements with companies so that federal regulations are more carefully defined. He doesn't know if HUD will accept these agreements or not. If the county does not settle these deficiencies to HUD's satisfaction, Waukesha County would have to indemnify the current loans.

Lewinski said they have far exceeded the number of jobs they needed to create cumulatively. Some companies may not have created the number of jobs they were required to create. Lewinski said the Milwaukee Field Office audits this program every year but not at the same intense level as the federal audit. This audit has much more depth. When you review a program for more than nine months, you are bound to find some issues.

Herro asked for Schubert's impression of the audit? Schubert said she thinks that we had 16 loans and 16 loans without proper paper work. This is incorrect. We issued \$116,000 in loans without following proper federal policies and procedures. We need to set and follow the proper policies and procedures according to regulations. When you run a federal program, you need to complete the appropriate paper work and follow the appropriate regulations in order to be in the program.

Haukohl said the value of this audit is that it brings our program in compliance of federal regulations. Sometimes audits are good.

Lewinski said the current issue isn't with the Inspector General. The Milwaukee Field Office is now in charge to make sure the county follows through with the remaining compliance issues of the audit. Lewinski plans on making the necessary changes in order to be in compliance with all regulations. The original intent of the audit was completed by May 31, 2003 but the auditors continued to research the programs.

Dwyer asked Lewinski to keep the County Board office informed of the progress of this audit. He will pass on the updates to the Executive Committee.

Lewinski said according to the letter sent to him by Robert Berlan on December 30, 2003, the Milwaukee Field Office will provide to the Office of the Inspector General a proposal for corrective actions or closure of the audit findings on or before January 25, 2004. Lewinski said Corporation Counsel reviews all responses to the audit.

Discuss and Consider the Following Appointments:

MOTION: Herro moved, Stamsta second, to approve the following appointments en masse. **Motion carried:** 7-0.

- 158-A-019: Appointment of Robert J. Putney to the Sheriff Civil Service Commission
- 158-A-020: Appointment of Joanne Leifheit to the Commission on Aging
- 158-A-021: Appointment of William Mitchell to the Federated Library Board
- 158-A-022: Appointment of Susan Koehn to the Brookfield Public Library Board of Trustees
- 158-A-023: Appointment of Tempy McCombe to the Federated Library Board
- 158-A-024: Appointment of William F. Luebke to the Veterans Service Commission

Standing Committee Reports

Personnel – Paulson said there is one contract to be settled, the AFSCME contract. This union is not on schedule with the other county unions. The committee also wants to look at options for physical fitness levels for Sheriff's Deputies.

Land Use – Kolb said NR115 would be an issue in 2004. NR216 is another state rule that is being brought forward by the DNR. There are amendments to the county development plan that need to be completed by the end of the board year.

HHS – Herro said the committee has a list of items to review with an emphasis on reducing programs or finding ways for them to run more efficiently.

Finance – Haukohl said the next meeting is Wednesday. In the next few months, the committee hopes to review the list of future agenda items that was developed during the past budget season. The committee would like to invite legislators to meetings to discuss a variety of financial issues. There is a joint meeting with Public Works and Finance on Wednesday, January 7 at 11:15 a.m. to discuss Ordinance 158-O-124. Tom Farley will be present to discuss the ordinance.

Judiciary – Stamsta said the committee would review issues in the District Attorney's office and the CJCC and jail programming.

Public Works – Manke said soon the committee would deal with parking at Muskego High School again. The railroad issue struck out in Madison. The next WRRTC meeting is Friday.

Dwyer asked the chairs to put together a list of items the next committee chairs need to review in the coming board year. The County Board office staff is available to help.

Future Agenda Items

- Investigate the county's ability to opt out of having elected constitutional officers.

Discuss and Consider Ordinance 158-O-118: Designate Waukesha County Communications as Wireless 9-1-1 PSAP

MOTION: Haukohl moved, Paulson second, to approve Ordinance 158-O-118: Designate Waukesha County Communications as Wireless 9-1-1 PSAP.

Tuma said this ordinance designates Waukesha County Communications Center as the Wireless 9-1-1-Public Safety Answering Point (PSAP), which makes the center eligible for grants to fund costs associated with providing the service. He said they hope to have phases I and II of the wireless service plan in place with all seven carriers by fall 2004.

Paulson asked when the county gets a 9-1-1-cell phone call and the location can be identified through triangulation or GPS and they transfer that call to the City of Waukesha, will all location information also be transferred? Tuma said if the City of Waukesha updates their system, the county could forward the information directly to them.

Tuma said phase .5 of the plan occurs when you dial 9-1-1 on a cell phone and get in touch with Waukesha County dispatch. Phase I allows the call to go through the system and identifies the cell phone tower face and the phone number. Identifying cell phone tower faces help to identify where to the route the call. Phase II will triangulate where the call is coming from. Phase I will give a general location of where a call is made from, while phase II will pinpoint where the call is coming from. By law, phone companies have to comply with the phases within six months of receiving a request from a county. Not all phones have the technology to work in phase II. Some carriers allow tracking of calls and some carriers can only provide a snapshot of where the call is made from. Tuma believes the surcharge to cell phone users will be \$.50 - \$1.00 per cell phone line. The county needs to calculate how much it will spend to get this system up and running and then submit that amount for reimbursement. The rules for reimbursement have not been completely decided upon so Waukesha County has not calculated the reimbursement amount yet.

ON THE MOTION: Motion carried: 7-0.

Motion to Adjourn

MOTION: Herro moved, Stamsta second, to adjourn the meeting at 11:02 a.m. **Motion carried:** 7-0.

Respectfully submitted,

Duane E. Paulson
Secretary